Second Appeal No. 706 of 2001
Old No. 2953 of 1986
Hon. Prafulla C. Pant, J.

Heard learned counsel for the parties.

A suit was filed by the plaintiff/appellants, for injunction in respect of 12 ft. wide alleged rasta land. The trial court as well as the first appellate court found encroachment on the part of the defendants only to the extent of 4 ft. of the disputed rasta land and decreed the suit accordingly while for rest of the reliefs, the suit was dismissed.

The findings are based not only on the oral evidence of the parties, but also on the report of the Commissioner and the spot inspection made by the Presiding Officer.

There is concurrent finding of the fact of the courts below. There is no substantial question of law involved in this appeal.

The second appeal is dismissed in limine. (All pending applications in this case also stand disposed of).

(P.C. Pant, J.)

Dt. 18.12.2006
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